

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

DAVID DAVISON, :
Plaintiff : CIVIL ACTION NO. 3:15-1373
v. : (JUDGE MANNION)
STACEY LYNN KENNEDY, *et al.*, :
Defendants :

ORDER

In light of the memorandum issued in the above-captioned matter, **IT IS
HEREBY ORDERED THAT:**

- (1) The motion to dismiss plaintiff's complaint of Parole Defendants, (Doc. [11](#)), is **GRANTED IN PART** and **DENIED IN PART**.
- (2) The Parole Defendants' motion to dismiss is **DENIED** with respect to plaintiff's §1983 claims of deprivation of his Fourth Amendment rights and Fourteenth Amendment due process rights in Count I against defendants Taylor and Sheaffer.
- (3) The Parole Defendants' motion is **GRANTED** to the extent that: a) plaintiff's Fifth Amendment due process claim is **DISMISSED WITH PREJUDICE**; b) the Parole Board is **DISMISSED WITH PREJUDICE**; c) defendant Novak is **DISMISSED WITHOUT PREJUDICE**; d) plaintiff's equal

protection claim is **DISMISSED WITHOUT PREJUDICE**;
and e) all of plaintiff's state law claims in Count II are
DISMISSED WITH PREJUDICE.

- (4)** Defendant Kennedy is **DISMISSED WITHOUT PREJUDICE**
and Doe Defendants are **DISMISSED WITHOUT PREJUDICE**.
- (5)** Defendants Taylor and Sheaffer are directed to file their answer to the remaining claims in Count I of plaintiff's complaint against them within seven days of the date of this Order.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Date: February 11, 2016

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